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Judge won't stop Sac High closure
A charter plan moves ahead as teachers and parents lose their bid for a restraining order.

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By Erika Chavez

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--A judge on Thursday denied a temporary restraining order against the Sacramento City Unified board of trustees and superintendent, clearing the way for the planned closure and revamping of Sacramento High School.

The restraining order was requested by the California Teachers Association, the Sacramento City Teachers Association and a group of parents who have filed suit to stop the district from closing Sacramento High and turning it into a charter school this fall. The suit contends that as an existing public school, the only charter that can go forward must have teacher approval.

In a hotly contested decision, the school board opted to close the school, which faced state sanctions for failing to raise student test scores, and reopen it as a charter. A divided board awarded use of the campus to nonprofit St. HOPE Corp.

Run by ex-basketball star and Sac High alum Kevin Johnson, St. HOPE is now hiring teachers and recruiting students for the campus, which will be split into six themed academies scheduled to open in September.

The suit, which was filed last week, alleges that parents, students and teachers "have suffered and will continue to suffer severe and irreparable harm" because of the confusion and turmoil over the pending school closure. It sought a temporary restraining order and injunction to stop the closure.

"The process has to be derailed," said Diane Ross, an attorney for the California Teachers Association.

Sacramento Superior Court Judge Raymond M. Cadei denied the request for a restraining order, saying granting it would cause more disruption.

"A court order at this time would cause more irreparable injury and harm because no one would know what's going to happen next," Cadei said.

Moreover, Cadei said, a temporary restraining order is granted only if the judge finds it likely that the

plaintiffs will prevail, based on the merits of the case.

Based on the legal briefs filed so far, it is unlikely the plaintiffs will win the case, the judge said.

The teachers unions plan to file additional briefs to bolster their case and add St. HOPE Corp. as a defendant in the suit, Ross said.

District officials were pleased with the judge's decision.

"We are happy to learn that we can continue the process of closing Sacramento High School without creating any additional uncertainty for parents and students," said Superintendent Jim Sweeney.

District legal counsel won't take anything for granted, said **Matt Jacobs**, who is representing the district in the suit.

"We're obviously pleased with the decision so far, but it's only the first step," he said.

A hearing on the injunction part of the suit is scheduled for 10:30 a.m. May 9.

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